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6  
7 Attorney for ERIC LAMONT WILLOUGHBY

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9 **UNITED STATES DISTRICT COURT**  
10 **DISTRICT OF NEVADA**

11 UNITED STATES OF AMERICA,  
12  
13 Plaintiff,  
14 v.  
15 ERIC LAMONT WILLOUGHBY,  
16 Defendant.

Case No. 2:09-CR-185-JAD-CWH

**STIPULATION TO CONTINUE HEARING**  
**ON MOTION FOR EARLY**  
**TERMINATION**  
(First Request)

17 IT IS HEARBY STIPULATED AND AGREED, by and between Daniel G. Bogden, United  
18 States Attorney, and Crane M. Pomerantz, Assistant United States Attorney, counsel for the United  
19 States of America, and Rene L. Valladares, Federal Public Defender, and Monique Kirtley, Assistant  
20 Federal Public Defender, counsel for Eric Lamont Willoughby, that the motion hearing currently  
21 scheduled for September 15, 2015 at, 10:00 am be vacated and set to a date and time convenient to this  
22 court but no sooner than fourteen (14) days .

23 The Stipulation is entered into for the following reasons:

- 24 1. The client is not in custody and does not oppose the continuance.  
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1           2.       Defense counsel will be out of the jurisdiction on the date currently set.

2           3.       The additional time requested herein is not sought for purposes of delay, but merely to  
3 allow counsel for the defendant sufficient time to review and possibly reply to Government's Response  
4 (CR#346), as well as to return to the district in order to appear.

5           4.       Denial of this request for continuance would deny counsel for the defendant sufficient  
6 time to effectively reply, taking into account the exercise of due diligence.

7           5.       Additionally, denial of this request for continuance could result in a miscarriage of  
8 justice. T

9           6.       This is the First stipulation to continue filed herein.

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15 DATED: September 14, 2015

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17 RENE L. VALLADARES  
18 Federal Public Defender

DANIEL G. BOGDEN  
United States Attorney

19 By /s/ Monique Kirtley  
20 MONIQUE KIRTLEY  
21 Assistant Federal Public Defender

By /s/ Crane M. Pomerantz  
CRANE M. POMERANTZ  
Assistant United States Attorney

1 **UNITED STATES DISTRICT COURT**  
2 **DISTRICT OF NEVADA**

3 UNITED STATES OF AMERICA,

4 Plaintiff,

5 v.

6 ERIC LAMONT WILLOUGHBY,

7 Defendant.  
8

Case No. 2:09-CR-185-JAD-CWH

**ORDER**

9 **ORDER**

10 Based on the pending Stipulation of counsel, and good cause appearing therefore, the  
11 Court finds that the best interest of justice is served by the granting of the continuance.

12 IT IS THEREFORE ORDERED that the motion hearing currently scheduled on Tuesday  
13 September 15, 2015 at the hour of 10:00 a.m., be vacated and continued to  
14 Tuesday, September 29, 2015, at 10:00 a.m.  
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16 DATED this 14th day of September, 2015.

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19 UNITED STATES DISTRICT JUDGE  
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